BILL NO. Z-69-09-37-

ZONING MAP ORDINANCE NO. Z-95-69

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36,

Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836; and the symbols on the City of Fort Wayne Zoning Map No. B-14 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, te-wit:

Lot Numbers 6, 7 and 8 Home Garden Addition to the City of Fort Wayne.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Soul Jamas

APPROVED AS TO FORM AND LEGALITY

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 30, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-09-32; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 17, 1969;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 24, 1969.

Certified and signed this 4th day of December 1969.

Mary Ann Haynie

Secretary

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	Bx H. Stman

B3B 19 STREET 18 STREET 17 RB 16 15 RB14 HANNA BIB 8 13 BIB BIB BIB 12 10 11 NHOC 38 39 BIB 40 37 R B 41 36

C CHANGE FROM RB TO BIB

Z-69-09-32

PETITION TO REZONE

We, the undersigned,	being the owner	ers of more than	fifty-one (51)	percent of
the real estate here	inafter describ	oed, do hereby r	espectfully pet	ition the
Common Council to en	act an ordinand	ce to reclassify	from a/an "	RB"
District to a/an	BlB" Dis	strict, the real	estate describe	ed as fol-
lows, to-wit:				
Lot Number	6, 7 and 8 Ho	me Garden Additi	on to the	

City of Fort Wayne.

Lynon a Cuerby Lot 8 6809 Hanna St Kiela Duerby " " " " " Alieford E. Lietterin Lot 7 6723 Hanna St Mary Elle, Lyptsing "" " " " " Dary W. Duffin Lot 6 5007 S. Lainfield Benerly June Griffin " " "

BAR PAGE B-14

DEDICATION

we, Bylon A. Overby and Rulla Overby
f Allen County, Indiana, hereby dedicate to the public for street
or) purposes, in consideration of
ne Dollar and other good and valuable consideration, receipt of
hich is hereby acknowledged, a strip of land in Allen County,
ndiana, described as follows:
commencing at a point where the north line of Lot 8, Home Garden add., and the centerline of Hanna Street intersect, thence east along the north line of Lot 8, Home Garden Add., a distance of a point, thence south and parallel to the west line of Lot 8, Home Garden Add., a distance of 100 feet, thence west a distance of 40 feet to a point on the centerline of Hanna treet, thence north and parallel to the west line of Lot 8, some Garden Add., 100 feet to the place of beginning.
Witness our hands and seals this 4 day of December
Byron G. Duerley (SEAL) Sinds O werley (SEAL)
TATE OF INDIANA) OUNTY OF ALLEN)
Before me, a Notary Public in and for said County and State,
this H day of Descender, 1969, personally appeared before
, and acknowledged the execution
of the above Dedication to be their voluntary act and deed. Relat Reamblell Notary Public
SEAL) My Commission Expires: Betales 10 1970
Prepared by and in the Othire of bamphell K

DEDICATION

We, Gary Griffin and Beverly June Griffin
of Allen County, Indiana, hereby dedicate to the public for street
(or) purposes, in consideration of
One Dollar and other good and valuable consideration, receipt of
which is hereby acknowledged, a strip of land in Allen County,
Indiana, described as follows:
Commencing at a point where the north line of Lot 6, Home Garden Add., and the centerline of Hanna Street intersect, thence east along the north line of Lot 6, Home Garden Add., a distance of 40 feet to a point, thence south and parallel to the west line of Lot 6, Home Garden Add., a distance of 100 feet, thence west a distance of 40 feet to a point on the centerline of Hanna Street, thence north and parallel to the west line of Lot 6, Home Garden Add., 100 feet to the place of beginning
Witness our hands and seals this _ ff day of December
Beneathy (SEAL)
STATE OF INDIANA)) SS: COUNTY OF ALLEN)
Potono mo a Notoni Dublic in and for soid County and Ctata
Before me, a Notary Public in and for said County and State, this 4 day of December, 1969, personally appeared before a
, and acknowledged the execution
of the above Dedication to be their voluntary act and deed. Relate Requisitell Notary Public
(SEAL) My Commission Expires:
October 10,1970
Prepared by a di Halling of family of

DEDICATION

of Allen County, India	ma, hereby dedicate to the public for street
(or) purposes, in consideration of
One Dollar and other g	good and valuable consideration, receipt of
which is hereby acknow	ledged, a strip of land in Allen County,
Indiana, described as	follows:
Add., and the centerli along the north line of 40 feet to a point, th of Lot 7, Home Garden a distance of 40 feet Street, thence north a	where the north line of Lot 7, Home Garden one of Hanna Street intersect, thence east of Lot 7, Home Garden Add., a distance of the second and parallel to the west line Add., a distance of 100 feet, thence west to a point on the centerline of Hanna and parallel to the west line of Lot 7, feet to the place of beginning.
Witness our h	ands and seals this 14 day of December
196 <u>9</u> .	
	Mary Ellen Lichtsen (SEAL)
STATE OF INDIANA)	
COUNTY OF ALLEN)	
Before me. a	Notary Public in and for said County and State,
•	exember, 1969, personally appeared before
	- Lancard Francisco Property Control of the Control
	, and acknowledged the execution
of the above Dedication	on to be their voluntary act and deed.
	Relat R-Romah Poll
•	Robert R-Ray Public Notary Public
(SEAL)	
My Commission Expires:	
October 10.197	γ

We, Byron A. Overby and Kuila Overby
being the owners of the real estate in Allen County, Indiana, described as
follows:
Lot # 8 in Home Garden Addition located on the east side of Hanna Street north of Mr. Wiggs Store.
in consideration of permission to use said real estate forCommercial
Uses, hereby covenant and agree, for ourselves, grantees,
personal representatives, successors and assignees as follows:
We agree to construct, maintain and keep free a service road for public use along the west 24' of Lot # 8 in Home Garden Addition, when and if present residential use reverts to commercial, also 115 foot building line located east and parallel to centerline of Hanna Street.
This is not a personal covenant, but shall run with the land and
inure to the benefit of all owners of real estate within five hundred feet
of said real estate, and of the public. It may be enforced by injunction
or otherwise by any of said owners or by the City of Fort Wayne on behalf
of the public.
Witness our hands and seals this 1/ day of December.
1969.
Byron a Oncertus (SEAL)
Zula Ourley (SEAL)
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STATE OF INDIANA)) SS:		
COUNTY OF ALLEN)	·	
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voluntary act and	deed.	4	
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(SEAL)			
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My Commission Expir			
Ostober 10	1970		
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PREPARED BY and in the Office of fampbell Realty

Gary Griffin and Beverly June Griffin
being the owners of the real estate in Allen County, Indiana, described as
follows:
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personal representatives, successors and assignees as follows:
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of said real estate, and of the public. It may be enforced by injunction
or otherwise by any of said owners or by the City of Fort Wayne on behalf
of the public.
Witness our hands and seals this
196 <u>9</u> .
Jany Gruffen (SEA)
Benerly Jane Striffin (SEA)

) SS:
COUNTY OF ALLEN)
·
Before me, a notary public in and for said County and State this
H day of December, 1969, personally appeared Defendant
and acknowledged the execution of the above Restrictive Covenant to be their
voluntary act and deed.
Rebeit R. Cours Roll Notary Public
(SEAL)
My Commission Expires:
Osteles 10, 1970

PREPARED BY and in the office of laughtell Rally

We, Winford E. Lichtsinn and Mary Ellen Lichtsinn
being the owners of the real estate in Allen County, Indiana, described as follows:
Lot # 7, in Home Garden Addition located on the east side of Hanna Street north of Mr. Wiggs Store.
in consideration of permission to use said real estate for
Uses, hereby covenant and agree, for ourselves, grantees
personal representatives, successors and assignees as follows:
We agree to construct, maintain, and keep free a service road for public use along the west 24' of Lot # 7 in Home Garden Addition, when and if present residential use reverts to commercial, also 115 foot building line located east and parallel to centerline of Hanna Street.
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inure to the benefit of all owners of real estate within five hundred feet
of said real estate, and of the public. It may be enforced by injunction
or otherwise by any of said owners or by the City of Fort Wayne on behalf
of the public.
Witness our hands and seals this
Many Elle Lichtrium (SEAL

STATE OF INDIANA) SS: COUNTY OF ALLEN)
Before me, a notary public in and for said County and State this day of <u>Freezander</u> , 1969, personally appeared <u>before me</u>
and acknowledged the execution of the above Restrictive Covenant to be their
voluntary act and deed.
Rebert R. Caus Boll Notary Public
(SEAL)
My Commission Expires:
October 10 1970

PREPARED BY and in the office of Campbell Realty

We, Winford E. Lichtsinn and Mary Ellen Lichtsinn
being the owners of the real estate in Allen County, Indiana, described as follows:
Lot # 7, in Home Garden Addition located on the east side of Hanna Street north of Mr. Wiggs Store.
in consideration of permission to use said week see Commercial
liese
personal representatives, successors and assignees as follows:
We agree to construct, maintain, and keep free a service road for public use along the west 24' of Lot # 7 in Home Garden Addition, when and if present residential use reverts to commercial, also 115 foot building line located east and parallel to centerline of Hanna Street.
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inure to the benefit of all owners of real estate within five hundred feet
of said real estate, and of the public. It may be enforced by injunction
or otherwise by any of said owners or by the City of Fort Wayne on behalf
of the public.
Witness our hands and seals this
Many Elle Lichtrium (SEI

STATE OF INDIANA)) SS:
COUNTY OF ALLEN)
Before me, a notary public in and for said County and State this
4 day of Decearable , 1969, personally appeared before me
and acknowledged the execution of the above Restrictive Covenant to be their
voluntary act and deed.
Bebeut R. Camblell Notary Public
(SEAL).
My Commission Expires:
October 10, 1970
PREPARED BY and in the oflin of Campb Coll Realty

COMMITTEE CHARMAN GOPY

BILL NO. R-69-12- 23

RESOLUTION NO. R-

RESOLUTION authorizing payment for repairs to City-owned vehicles.

WHEREAS, Street Department Truck No. 205 was damaged in an accident on September 10, 1969; and

WHEREAS, settlement in the amount of \$98.00 was paid by State Farm Insurance to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Brockman Body Shop has repaired said vehicle and has filed a claim in the amount of \$98.00, which sum is the reasonable value of said repairs; and

WHEREAS, Police Car #23 was damaged in an accident; and

WHEREAS, settlement in the amount of \$28.62 was paid by United States Fidelity and Guaranty Co. to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Auto Rebuilding Company has repaired said vehicle and has filed a claim in the amount of \$28.62, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

- 1. That the City Controller is authorized to pay the sum of \$98.00 to Brockman Body Shop for repairs to Street Department Truck No. 205.
- 2. That the City Controller is authorized to pay the sum of \$28.62 to Auto Rebuilding Company for repairs to Police Car #23.

EVERETT BLOOM
FON L BLOOM
JIS L BLOOM
AN E BLOOM

JCE E. BLOOM HARD W. GEORGE

BLOOM & BLOOM

ATTORNEYS AT LAW

1514 ANTHONY WAYNE BANK BUILDING FORT WAYNE, INDIANA 46802

TELEPHONE 742-1463

December 18, 1969

TO WHOM IT MAY CONCERN:

This is to certify that the undersigned, on July 3, 1963, examined an abstract of title covering:

The West 72 feet of the East 144 feet of the South 150 feet of Block "A", in Winfree Manor, an Addition to the City of Fort Wayne, Indiana;

it is the opinion of the undersigned that the restrictions imposed upon said real estate on the 21st day of March, 1953, by Samuel E. Manning and Livie M. Winfree, who platted the area in which the captioned real estate is located, would intend that said restrictions cover the captioned real estate; that when the said Manning and Winfree released said restrictions on the 11th day of October, 1955, they did not intend and did not legally release the captioned real estate from the protective covenants set out at the time of the platting and that said captioned real estate is now properly restricted to residential usage only with not more than one house to be erected on any lot and that is to be a single family residence.

It is the undersigned's opinion that the present classification of the captioned real estate as an "R-1" district is the proper and legal classification in accordance with the covenants set forth in the platting of said Addition.

Respectfully submitted,

BLOOM & BLOOM

A. Everett Bloom

AEB:pw

GATEWAY PLAZA 133 132 TRIN!TY BLVD. 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 123 | 124 WHIFREE DR. RALPH QISI 36 35 34 33 32 31 30 29 28 27 122 121 HILLS (I) 115 75 39 40 41 42 43 44 45 46 112 113 37 38 MANGR CAMBRIDGE BLOCK Α IRENE QUEEN OF ANGELS CHURCH AND SCHOOL

C CHANGE FROM RI TO R3

The Zoning Of This Map Is All RI

REZONING OF LOTS IN WINFREE MANOR ADDITION FROM AN R-1 DISTRICT TO AN R-3 DISTRICT.

SPECIAL INSPECTION POINTS.

- 1. Traffic on State, Goshen and Cambridge from 6:30 to 8:30 each morning and from 3:00 to 5:30 each afternoon is extremely heavy and hazardous.
- 2. There are only two traffic lights in the surrounding area Tyler at State and Saint Mary's at State.
- 3. The interior streets are now heavily used by local traffic, and particularly Irene and Poinsatte for school and playground use.
- 4. Poinsatte is difficult to travel because of its steep grade. Note two (2) 20 MPH "Hill" signs posted near Irene.
- 5. Dana floods Cambridge, Irene, Poinsatte and other interior streets in the early morning and late afternoon.
- 6. The proposed interior access from the apartment project to Gateway Plaza over Clifton Hills involves a steep grade of approximately 30%, which would be impassable in inclement weather.
- 7. Any entry onto or off of Goshen Road across traffic is extremely hazardous at any time of the day.
- 8. Access to the area by emergency vehicles is now difficult. The proposed apartment construction would make this access even more difficult, and perhaps impossible for large firetrucks.
- 9. The proposed project would increase density in the area five (5) times over single family dwellings (210 apartment units vs. 46 homes).
- 10. Junk and debris in the area borders and comes from Gateway Plaza Shopping Center, not from the area in question.

Bill No. <u>Z-69-09-32</u>
REPORT OF THE COMMITTEE ON REGULATIONS
We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. B-14,
have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance PASS. EDWIN J. ROUSSEAU, Chairman Fundamental part of the council that said Ordinance PASS.
EDWIN J. ROUSSEAU, Chairman
JOHN H. ROBINSON, Vice-Chairman
THOMAS G. ADAMS / / / / / / / / / / / / / / / / / / /
JACK K. DIINTFON
PHIL A. STEIGERWALD Child Steinsweld

Read the first time in full and on motion by Rousseau seconded by
to the (Committee on) Regulation (and to the City Plan
Commission for recommendation) (and Public Hearing to be held after due legal notice,
at the Council Chambers, City Hall, Fort Wayne, Indiana, on
the day of o'clock
P.M. E.S.T.
Date: 9-30-69 Fixad & Bonahoom City Clerk
Read the third time in full and on motion by
seconded by Robinson and duly adopted, placed on its passage.
Passed (£05T) by the following vote:
AYES, NAYS, ABSTAINED, ABSENT to-wit:
Adams Dunifon Fay Geake Nuckols Robinson Rousseau Steigerwald Tipton Date 12-73-69
on the 23rd day of Necember, 196 9.
ATTEST: (SEAL) City Clerk Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24 day
Presented by me to the Mayor of the City of Fort wayne, Indiana, on the
of December, 196 9 at the hour of 8:30 o'clock A.M., E.S.T. The City Clerk
Approved and signed by me this 24th day of
at the hour of

lommon (Council	-City of Ft.We	vne	То	JOURNAL-GAZI	ETTE	Dr.
	(Go	vernmental Unit)		• ,	FORT WAYNE,	TNDTANA	· .
Allen		Count		DIC OF ALL			***************************************
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I hereby	certify th	at the foregoing accou	ant is just and correct, the	hat the amount cl	aimed is legally d	lue, after allo	wing all just
credits, a	nd that no	part of the same has	been paid.). [) links	
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2 Tanada alla	St. Charles Co.	Notices Notices	PUBLISHER'S State_of Indiana				
Notice day of D	Is hereby coecember, 19	Notices Jiven that on the 23rd 69, the Common Coun- ort Wayne, Indiana, in d pass the following ce, to-wit: DINANCE NO. Z-95-69 amending the City of Map No. B-14. D BY THE COMMON E CITY OF FORT the area described as esignated a B-1-B Dis- ns of Chapter 36, Mu- City of Fort Wayne, nended by General Or- and the symbols on laying Map No. herein, established by changed accordingly, 7 and 8 Home Gar-	State of Indiana ALLEN County } Personally appeared		me public in and fo	m caid county	and state the
Regular Zoning	Session, di Map ordinan	d pass the following ce, to-wit:	undersigned	ARVILLAXDE	WAXDX H.OVEN	who, being dul	y sworn, says
ZONING	MAP ORI	amending the City of Map No. B-14.	that she is	CLE	RK		of the
BE IT	ORDAINE L OF TH	E CITY OF FORT	DATEV		***************************************		
e follows	ON 1. That is hereby d der the terr	esignated a B-1-B Dis- ns of Chapter 36, Mu-		newspaj			
f nicipal	Code of the 1946, as an No. 2836;	nended by General Or- and the symbols on	in the English langu in state and county a	age in the city (of FORI WAYNE	, INDIANA	is a true conv
the City B-14 re 1 Section	of Fort W ferred to t 9, Article	herein, established by	which was duly publi	ished in said paper	for $\frac{2}{100}$ time $\frac{8}{100}$, t	he dates of pul	olication being
amended to-wit:	Numbers 6,	7 and 8 Home Gar- the City of Fort	as follows:		January 2, 19		
den Wayne SECT	e. ION 2. This	Ordinance shall be in			January 9, 19		
t passage	ce and effe , approval l ication ther	by the Mayor, and leg-				<i>x</i>	
Read tion by	the third ti	Ordinance shall be in cot from and after its by the Mayor, and legent. OUSSEAU, Councilman, me in full and on moseconded by Robinson placed on its passage, wing vote:	Subscribed and swor	rn to before me this	3 13th day of	January Stapl	19 70
Passed Ayes:	by the folloginone.	Fay, Geake, Nuckols,		********	Nota	ry Public	2000
Robinso	n, Roussed none.	Fay, Geake, Nuckols, u, Steigerwald, Tipton.	My commission expi	ires	arch 8, 1070		
Passe	FUAD G. B	ONAHOOM, City Clerk. opted by the Common y of Fort Wayne, Indi- p Ordinance No. Z-95-69 December, 1969. (SEAL).	2 2 2				
ana, as	Zoning Ma 23rd day of	December, 1969. (SEAL).		I I i			
	FUAD G. B	TON Presiding Officer.		WE THE THE PARTY OF THE PARTY O			
City of	Fort Wayn	ne, Indiana, on the 24th 1969 at the hour of 8:30	100000000000000000000000000000000000000				
l Appr	FUAD G. E	e to the Mayor of the le, Indiana, on the 24th 1969 at the hour of 8:30 T. 30NAHOOM, City Clerk. Igned by me this 24th 1969, at the hour of EST. ROLD S. ZEIS, Mayor. Hoom, Clerk of the City diana, do hereby certify	The state of the s				
9:11 o	clock A.M.	ROLD S. ZEIS, Mayor.					
of For	t Wayne, In	diana, do hereby certify					

WITNESS my hand, and the official seal the City of Fort Wayne, Indiana, this